

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Vivian Berlin, Isabel Chiu, and Guillaumè Cottarel

Serial No.: 08/360,144

Filed: 20 December 1994

Title: "Immunosuppressant Target Proteins"

Attorney Docket No.:

MII-036CP

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))--Small Business Concern**

I HEREBY DECLARE THAT I AM AN OFFICIAL EMPOWERED TO ACT ON BEHALF OF THE SMALL BUSINESS CONCERN IDENTIFIED BELOW:

NAME OF SMALL BUSINESS CONCERN: MITOTIX, INC.

ADDRESS OF BUSINESS: ONE KENDALL SQUARE, CAMBRIDGE, MA 02139

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

☒ APPLICATION SERIAL NO: 08/360,144 Filed: 20 December 1994.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____

ADDRESS _____

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: GIULIO DRAETTA

TITLE OF PERSON OTHER THAN OWNER: Vice President of Biological Research

ADDRESS OF PERSON SIGNING: ONE KENDALL SQUARE, CAMBRIDGE, MA 02139

SIGNATURE _____

DATE _____

February 3, 1995

Attorney's
Docket
Number: MIL-036CP

Declaration, Petition and Power of Attorney For Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

"IMMUNOSUPPRESSANT TARGET PROTEINS"

the specification of which was filed 20 December 1994, Serial No. 08/360,144, which is a Continuation-in-Part of U.S. Application Serial No. 08/250,795, filed 27 May 1994. I do not know and do not believe that the subject matter of this application was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the date of this application, and that said subject matter has not been patented or made the subject of an issued inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months prior to the date of this application; that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application, that no application for patent or inventor's certificate on the subject matter of this application has been filed by me or my representatives or assigns in any country foreign to the United States, except those identified below, and that I have reviewed and understand the contents of the specification, including the claims as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

Check one:

☒ no such applications have been filed.

☐ such applications have been filed as follows

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

| Country | Application Number | Date of Filing (month,day,year) | Priority Claimed Under 35 USC 119 |
|---------|--------------------|------------------------------------|--|
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

| |
|--|
| |
| |
| |

08/250,795.
(Application Serial No.)

pending
(Status)
(patented,pending,aband.)

(Filing Date)

(Status)
(patented,pending,aband.)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

| | | | |
|------------------------|------------------|-----------------------|------------------|
| John A. Lahive, Jr. | Reg. No. 19,788 | Ann Lamport Hammitte | Reg. No. 34,858 |
| W. Hugo Liepmann | Reg. No. 20,407 | John V. Bianco | Reg. No. 36,748 |
| James E. Cockfield | Reg. No. 19,162 | Jeremiah Lynch | Reg. No. 17,425 |
| Thomas V. Smurzynski | Reg. No. 24,798 | Amy E. Mandragouras | Reg. No. 36,207 |
| Ralph A. Loren | Reg. No. 29,325 | Elizabeth A. Hanley | Reg. No. 33,505 |
| Thomas J. Engellenner | Reg. No. 28,711 | Matthew P. Vincent | Reg. No. 36,709 |
| William C. Geary III | Reg. No. 31,359 | Paul Louis Myers | Reg. No. 35,965 |
| David J. Powsner | Reg. No. 31,868 | Beth E. Arnold | Reg. No. 35,430 |
| Giulio A. DeConti, Jr. | Reg. No. 31,503 | Anthony A. Laurentano | Reg. No. 38,220 |
| Michael I. Falkoff | Reg. No. 30,833 | Jean M. Silveri | Reg. No. P39,030 |
| Jane E. Remillard | Reg. No. P38,872 | Mark A. Kurisko | Reg. No. P38,944 |

Send Correspondence to:


Lahive & Cockfield, 60 State Street, Boston, MA 02109

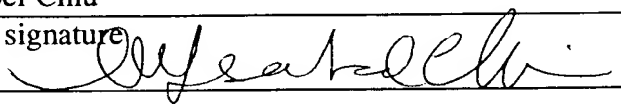
Direct Telephone Calls to: (name and telephone number)

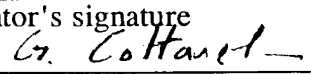
Giulio A. DeConti and/or Matthew P. Vincent, (617) 227-7400

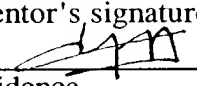
Wherefore I petition that letters patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | |
|---|--------|
| Full name of first inventor | |
| Vivian Berlin | |
| Inventor's signature | Date |
|  | 3-1-95 |
| Residence | |
| 634 Main Street | |
| Dunstable, Massachusetts USA | |
| Citizenship: United States | |
| Post Office Address (if different) | |

| | |
|---|----------------|
| Full name of second inventor Maria Isabel Chiu | |
| Inventor's signature  | Date 3/1/95 |
| Residence 288 Commonwealth Avenue Apt 3 Boston, Massachusetts USA | |
| Citizenship: United States | |
| Post Office Address (if different) | |

| | |
|---|------------------|
| Full name of third inventor Guillaume Cottarel | |
| Inventor's signature  | Date 02.24.95 |
| Residence 15 Rickerhill Road West Roxbury, MA 02132 | |
| Citizenship: France | |
| Post Office Address (if different) | |

| | |
|---|------------------|
| Full name of fourth inventor Veronique Damagnez | |
| Inventor's signature  | Date 02.24.95 |
| Residence 119 Sciarappa Street #3 Cambridge, Massachusetts 02141 | |
| Citizenship: France | |
| Post Office Address (if different) | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Berlin et al.

Serial No.: 08/360,144

Filed: December 20, 1994

For: *Immunosuppressant Target Proteins*

Examiner: Slobodyanski, E.

Group Art Unit: 1652

Attorney Docket No.: APV-036.02

Assistant Commissioner for Patents
Washington, DC 20231

ASSOCIATE POWER OF ATTORNEY

Sir:

Please grant an Associate Power of Attorney in the above-captioned patent application to:

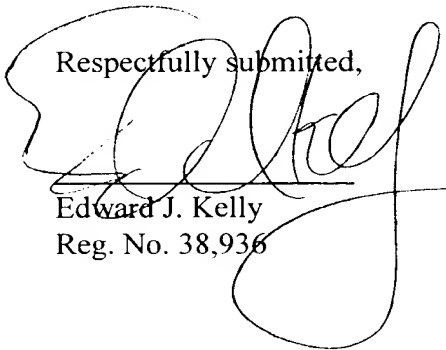
David L. Bernstein, Esq. , Reg. No. 31,235 and Sharon F. Hausdorff, Ph.D., Reg.
No. 43,664, both of ARIAD Pharmaceuticals, Inc., and
Isabelle M. Clauss, Ph.D., Reg. No. (see attached), of Foley, Hoag & Eliot.

Please continue to send all correspondence to:

Patent Group
Foley, Hoag & Eliot LLP
One Post Office Square
Boston, MA 02109-2170
Tel. (617) 832-1000

Should there be any questions after reviewing this submission, the Examiner is invited to contact the undersigned at (617) 832 1000.

Respectfully submitted,


Edward J. Kelly
Reg. No. 38,936

Dated: January 27, 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GENERAL REVOCATION OF PRIOR POWERS OF ATTORNEY AND
APPOINTMENT OF NEW POWER OF ATTORNEY

COPY

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Mitotix, Inc. hereby revokes all previous powers of attorney and appoints the following attorneys to prosecute applications and transact all business in the U.S. Patent and Trademark Office:

Donald W. Muirhead Reg. No. 33,978

Beth E. Arnold Reg. No. 35,430

Matthew P. Vincent Reg. No. 36,709

Charles H. Cella Reg. No. 38,099

John C. Gorecki Reg. No. 38,471

Edward J. Kelly Reg. No. 38,936

Sayoko Blodgett-Ford Reg. No. P-40516

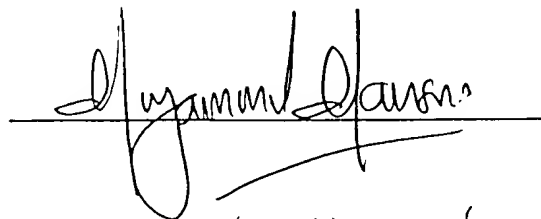
all of the Patent Group of Foley, Hoag & Eliot LLP at One Post Office Square, Boston, MA 02109.

The undersigned, whose title is supplied below, is empowered to sign this Revocation and New Power of Attorney on behalf of the Assignee.

The original copy of this Revocation and New Power of Attorney is being filed in U.S. Patent Application No. 08/435,637.

Respectfully submitted,

Dated: 4/8/97



Muzammil Mansuri

PRINT OR TYPE NAME OF PERSON SIGNING

Vice President, Drug Discovery

TITLE